

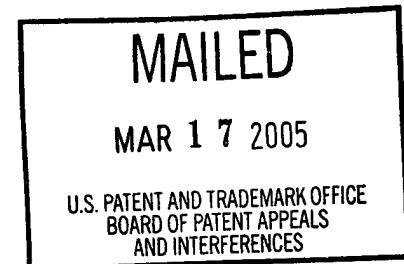
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte D. WADE WALKE,
CARL JOHAN FRIDDLE,
BRIAN MATHUR, and
C. ALEXANDER TURNER, JR.

Application No. 09/893,321



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on December 21, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below.

An ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER was mailed on November 4, 2004 involving this application for the following reasons:

- Page 399 was missing in Bork, P., "Powers and pitfalls in sequence analysis: the 70% hurdle," Genome Research, Vol. 10, pp. 398-400 (2000);
- Page 249 was missing in Doerks, T., et al., "Protein annotation: detective work for function prediction," Trends in Genetics, Vol. 14, No. 6, pp. 248-250 (June 1998);

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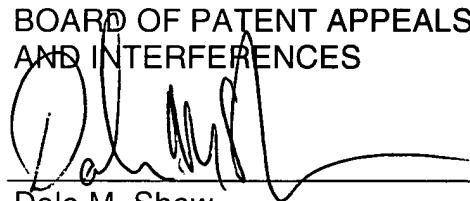
- Page 1223 was missing in Smith, T.F. et al., "The challenges of genome sequence annotation or 'the devil is in the details,'" Nature Biotechnology, Vol. 15, pp. 1222-1223; and
- Page 246 was missing in Bork, P. et al., "Go hunting in sequence databases but watch out for the traps," Trends in Genetics, Vol. 12, No. 10, pp. 425-427 (October 1996).

These items are still missing from the administrative record.

Accordingly, it is

ORDERED that the application is electronically returned to the Examiner to obtain and have complete copies of the defective references scanned into the record, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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